

REMARKS

Claim 1 is amended to incorporate the subject matter of claim 2, and claim 2 is canceled. Claims 3-7 and 9 are amended to depend from claim 1. Claim 8 is cancelled. Claim 10 has been added. Upon entry of the Amendment, which is respectfully requested, claims 1, 3-7 and 9-10 will be pending.

Referring to page 2 of the Action, claim 8 is objected to under 37 C.F.R. § 1.75(c) as allegedly being of improper dependent form for failing to further limit the subject matter of a previous claim.

Claim 8 is cancelled, and claim 10 has been added. Accordingly, withdrawal of the objection is respectfully requested.

Referring to page 3 of the Action, claims 1-6, 8 and 9 are rejected under 35 U.S.C. § 102(f) as allegedly being unpatentable in view of U.S. Patent No. 7,239,085. The Examiner alleges that Applicants did not invent the claimed subject matter.

Applicants traverse and respectfully request the Examiner to reconsider in view of the following remarks.

According to MPEP § 706.02(g), "The Examiner must presume the applicants are the proper inventors unless there is proof that another made the invention and that applicants derived the invention from the true inventor." The Examiner has provided no proof that another made the invention. Accordingly, it is respectfully requested that the § 102(f) rejection of claims 1-6 and 9 in view of U.S. Patent No. 7,239,085 be withdrawn.

Referring to page 3 of the Action, claims 1 and 5-8 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2004/0041220 or 2004/0056990.

Claim 2 is not subject to this rejection. In view of the amendment incorporating claim 2 into independent claim 1, withdrawal of the rejection is respectfully requested.

Claims 5-8 depend from claim 1, and thus, are patentable by virtue of their dependencies from claim 1.

Accordingly, withdrawal of the § 103(a) rejection of claims 1 and 5-8 based on U.S. Patent Application Publication No. 2004/0041220 or 2004/0056990 is respectfully requested.

Referring to page 4 of the Action, claims 1, 5, 6 and 8 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 7,026,755.

As noted, claim 2, which is not subject to this rejection, is incorporated into independent claim 1. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 5, 6 and 8 depend from claim 1, and thus, are patentable by virtue of their dependencies from claim 1.

Accordingly, withdrawal of the § 103(a) rejection of claims 1, 5, 6 and 8 based on U.S. Patent No. 7,026,755.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
Application No.: 10/575,466

Attorney Docket No.: Q94344

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

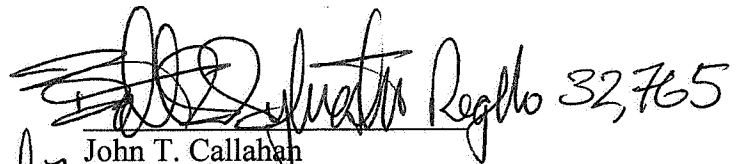
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